

COLLEGE STUDENT AID COMMISSION[283]

Notice of Intended Action

Proposing rule making related to rural Iowa primary care loan repayment program and providing an opportunity for public comment

The College Student Aid Commission hereby proposes to amend Chapter 24, “Rural Iowa Primary Care Loan Repayment Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 261.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 261 and 2021 Iowa Acts, Senate File 129.

Purpose and Summary

These proposed amendments implement changes enacted by 2021 Iowa Acts, Senate File 129. Senate File 129 adds OB-GYN as an eligible specialty and expands the eligible practice areas for psychiatrists. In addition, the legislation allows the Commission to amend the service agreement upon request of the recipient to allow the individual to work on a part-time basis.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 283—Chapter 7.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Commission no later than 4:30 p.m. on August 31, 2021. Comments should be directed to:

Mark Wiederspan
Executive Director
Iowa College Student Aid Commission
475 S.W. Fifth Street, Suite D
Des Moines, Iowa 50309-4608
Phone: 515.725.3410
Fax: 515.725.3401
Email: mark.wiederspan@iowa.gov or administrative rules website at rules.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule **283—24.2(261)**, definitions of “Physician” and “Service commitment area,” as follows:

“*Physician*” means an individual who holds a practitioner’s license issued by an agency or board under the Iowa department of public health and is employed in the practice of medicine and surgery or osteopathic medicine and surgery, specializing in family medicine, pediatrics, psychiatry, internal medicine, obstetrics and gynecology, or general surgery.

“*Service commitment area*” means a medically underserved Iowa city ~~with a population of less than 26,000 that is located more than 20 miles from a city with a population of 50,000 or more. Each physician participating in the program must contract with the service commitment area to ensure the service commitment area provides a nonrefundable \$20,000 contribution for deposit in the rural Iowa primary care trust fund. Payment of the nonrefundable contribution to the trust fund can be made by, but is not limited to, the following organizations: community agencies, hospitals, medical groups, municipalities, community foundations, local government entities, or other community entities. Locations and distances between cities will be consistently measured and verified by calculating the shortest travel distance on paved roads.~~ which provides a nonrefundable contribution for each physician in the community who is participating in the rural Iowa primary care loan repayment program and which meets any of the following conditions:

1. Is a city within a federal mental health shortage area, as designated by the Health Resources and Services Administration of the United States Department of Health and Human Services, if the physician participating in the rural Iowa primary care loan repayment program specializes in psychiatry.
2. Is a city with a population of less than 26,000 that is located more than 20 miles from a city with a population of 50,000 or more. Locations and distances between cities will be consistently measured and verified by calculating the shortest travel distance on paved roads.

ITEM 2. Adopt the following **new** definition of “Contribution” in rule **283—24.2(261)**:

“*Contribution*” means a nonrefundable \$20,000 contribution paid by the service commitment area to the rural Iowa primary care trust fund for each physician in the community who is participating in the program. Each physician participating in the program must contract with the service commitment area to ensure the service commitment area provides the nonrefundable contribution. Payment of the nonrefundable contribution to the trust fund can be made by, but is not limited to, the following organizations: community agencies, hospitals, medical groups, municipalities, community foundations, local government agencies, or other community entities.

ITEM 3. Amend subrule 24.3(5) as follows:

24.3(5) Within nine months of graduating from the residency program, an applicant must receive a permanent license to practice medicine and surgery or osteopathic medicine and surgery in the state of Iowa and engage in full-time practice, as defined by the service commitment area, of medicine and surgery or osteopathic medicine and surgery specializing in family medicine, pediatrics, psychiatry,

internal medicine, obstetrics and gynecology, or general surgery for a period of five consecutive years in a service commitment area.

ITEM 4. Amend subrule 24.5(2) as follows:

24.5(2) *Full-time employment.* The commission may waive the requirement that the physician be employed full-time if the physician ~~demonstrates exceptional circumstances. The physician must request~~ requests a waiver from the commission in writing and is working at least 28 hours per week. If a waiver request is granted by the commission, the agreement will be amended to provide an allowance for part-time employment. The five-year employment obligation will be proportionally extended to ensure the physician is employed in a service commitment area for the equivalent of five full-time years.